Swarozgaris have already been appointed. But it is demand-based because it is a self-employment generation scheme. If any sort of proposal is received from a particular State or a particular party, then, I would certainly consider it.

SHRI MATILAL SARKAR : Sir, in my questions, there are three questions, (a), (b) and (c). In respect of (c), there is no answer. The question is "whether the schemes the Government are thinking to encourage in the rural development affairs associated with technology at the village level."

SHRI ANNASAHEB M. K. PATIL : Sir, we have already given the answer in our written statement. In all the schemes, which are implemented through the Rural Development Department, whatever new technology has been evolved, that is definitely implemented.

MR. CHAIRMAN : Shrimati Shabana Azmi.

SHRIMATI SHABANA AZMI : Sir, which is the question?

श्री सभापति : बैठ जाइए, मैं आपको परेशान नहीं करूंगा।

SHRIMATI SHABANA AZMI : Sir, I had asked for a supplementary for the Housing question.

श्री सभापति : कोई बात नहीं। इसमें 477 लिखा हुआ है। दूसरे दिन का तो नहीं लिख दिया है ?

SHRIMATI SHABANA AZMI : Sir, it was question No. 467.

Teen aged booked under POTA

* 478. SHRI S. S. AHLUWALIA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) Whether Government are aware that several male members including the teen aged of the poor families, particularly of the erstwhile bonded labourers, in Sonebhadra District of Uttar Pradesh have been booked by the local police under the POTA and other criminal charges;

(b) The steps taken, if any, by Government to verify these cases in order

to protect innocents from the oppressions of the evil nexus of the influential erstwhile Lords of these bonded labourers and the local police;

(c) Whether similar cases have also been reported from several districts of Jharkhand; and

(d) if so, the steps taken in Jharkhand ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK) : (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) and (b) The Government of Uttar Pradesh has informed that in Sonebhadra District, 45 persons involved in 5 cases were also charged under the POTA, 2002 who were not bonded labourers but active members of Maoist Communist Centre (M.C.C.) a banned organization. None of these 45 persons was minor. Provisions of POTA were withdrawn against 29 persons due to insufficient evidence during investigation. On consideration, the State Government did not accord sanction as required under Section 50 of the Act and hence, provisions of POTA were withdrawn against the remaining 16 persons also.

(c) and (d) The Government of Jharkhand has intimated that three minor youths, in two cases, were also charged under the POTA. The Committee constituted by the State Government to review the POTA cases has since exempted them from the POTA.

श्री एस० एस० अहलुवालिया : सभापति जी, मैं मंत्री जी से जानना चाहता हूं कि पोटा के प्रावधान के अनुसार 32 संगठन गैर-कानूनी घोषित किए गए हैं, इसके तहत सारे भारत में कितने लोगों को पोटा के तहत रोका गया है ?

श्री नीलोत्पल बसु : सभापति जी, यह नोटिस के तहत नहीं आता है। यह तो अलग क्वेश्चन है।

श्री एस० एस० अहलुवालिया : यह सवाल मेरा था या आपका था...(**व्यवधान**)

SHRI KAPIL SIBAL : If he is embarrassed to put the question, on his behalf I will put it; that is not a problem...*(Interruptions)*...

श्री सुरेश पचौरी : यह ठीक है। मंत्री जी ने अपने उत्तर में स्वयं स्वीकार किया है कि इनसफिशिएंट एविडेंस ग्राउंड के आधार पर उन लोगों की गिरफ्तारी हुई है...(**व्यवधान** ...)

श्री एस० एस० अहलुवालिया : सभापति जी, मैं जानना चाहता हूं

कि...(**व्यवधान**)... उन्होंने सवाल के जवाब में ...(**व्यवधान**)... Let me ask the question ...*(interruptions)*...

श्री सुरेश पचौरी : यू०पी० और बिहार में...(**व्यवधान**)... मंत्री जी ने स्वयं उत्तर में लिखा है कि जिन लोगों की गिरफ्तारी हुई थी वह इनसफिशिएंट एविडेंस के आधार पर हुई थीं...(**व्यवधान**)...

श्री एस० एस० अहलुवालिया : इन्हें तकलीफ है ...(**व्यवधान**)... मेरा सवाल सीधा है ...(**व्यवधान**)...

श्री सुरेश पचौरी : अगर आप सरकार को भंग करने की बात करेंगे तो ज्यादा अच्छा होगा...(**व्यवधान**)... वह बात कीजिए जो आपके मंत्री ने स्वयं स्वीकार की है ...(**व्यवधान**)...

श्री सभापति : चलिए, नेक्स्ट क्वेश्चन...(**व्यवधान**)...

श्री एस० एस० अहलुवालिया : सुरेश पचौरी जी, अपने फेफड़ों की ताकत मत दिखाइए, आपके फफेड़ों से ज्यादा ताकत मेरे पास है ...(**व्यवधान**)...

श्री सुरेश पचौरी : यह तो मंत्री जी ने स्वयं स्वीकार किया है ...(**व्यवधान**)...

श्री एस० एस० अहलुवालिया : सभापति जी, मेरा सवाल बिल्कुल सीधा था और मैं अभी पुनः पूछ रहा हूं कि सोनभद्रा के जिन पैंतालीस लोगों के बारे में यह कहा गया कि वे एम०सी०सी० के थे, इसलिए बैन्ड ऑर्गेनाइजेशन एम०सी०सी० के तहत उन्हें गिरफ्तार किया गया है...(**व्यवधान**).....मैंने मंत्री जी पूछना चाहा है कि सारे भारत में जो बत्तीस बैन्ड ऑर्गेनाइजेशन्स हैं, इन बैन्ड ऑर्गेनाइजेशन्स के कितने लोगों को पोटा के तहत रोका गया है ?

SHRI HARIN PATHAK : Sir, the number of persons involved is 12123, arrested-641, under detention-501, on bail-42. These are the total numbers involved

श्री एस० एस० अहलुवालिया : सर, मेरा दूसरा सप्लीमेंटरी है। झारखंड के बारे में होंने कहा है कि माइनर लोगों को रेव्यू कमेटी ने पोटा से एग्जैंप्ट किया, सिर्फ एग्जैंप्ट करना ही नहीं, बल्कि जिन अधिकारियों ने उन पर पोटा लगाया था उन पर भी क्या कोई कार्यवाही हुई है या कोई कार्यवाही करने का पावधान पोटा में है ?

श्री हरिन पाठक : सर, जैसे माननीय सदस्य को मालूम है कि झारखंड में जो तीन बच्चों को गिरफ्तार किया गया था उनके सारे केसेज़ विदड्रा कर लिए हैं। उनमें से एक को रिलीज किया है और दो बाकी जो हैं वे अभी कस्टिडी में है और हर स्टेट की अपनी ...(**व्यवधान**)... वे पोटा में नहीं है। आप मेरी पूरी बात तो सुन नहीं रहे हैं। पहले मेरी बात आप सुन लीजिए। जो दो हैं वे पोटा में नहीं हैं। वे दूसरे प्रावधानों, इंडियन पीनल कोड और सीआरपीसी में हैं। राज्य सरकार अपनी पोटा की रेव्यू कमेटी बनाकर बैठी है और उसी आधार पर सारे निर्णय करती है। ...(**व्यवधान**)...

SHRI KAPIL SIBAL : Mr. Chairman, Sir, I am really surprised by the answer that has been given to parts 'a' and 'b' because in respect of 45 persons, in respect of which Mr. Ahluwalia had asked the question, the reply given, is "Provisions of POTA were withdrawn agianst 29 persons due to insufficient evidence during investigation". In other words, a person is arrested without investigation, then during investigation it is found that there is no evidence against him, and then the cases are withdrawn against him. What kind of Government are you running there? Please answer. And the same thing is there in Jharkhand.

SHRI HARIN PATHAK : No, this is not about Jharkhand; this is about Uttar Pradesh

SHRI KAPIL SIBAL : Yes, all right. So, please answer what type of Government you are running there. Our people are arrested without evidence and then they are released after no evidence is found against them ...*(Interruptions)*...

MR. CHAIRMAN : Let him reply.

SHRI KAPIL SIBAL : Please tell us, this is your POTA, Please answer.

SHRI HARIN PATHAK : I answer you, Sir. There are 45 persons who have been arrested under POTA in Uttar Pradesh, in the particular district of Sonebhadra ... *(Interruptions)*... I am coming to the point. Let me complete the sentence. You are a lawyer, I am not a lawyer. But, the infomation I have received from the State Government is that during the investigations when they are examining the evidence, it is found that there is no sufficient evidence against 29 persons.

SHRI KAPIL SIBAL : Why were they arrested at the first stage?

SHRI HARIN PATHAK : That is why this POTA Review Committee has been constituted. So, it is no ... *(Interruptions)*. I cannot reply on behalf of the State Government ... *(Interruptions)*.

MR. CHAIRMAN : Next question ...*(Interruptions)*.

SHRI KAPIL SIBAL : How can you arrest a person without evidence under POTA? .... *(Interruptions)*. How can you arrest a person without evidence? ....*(Interruptions)*.

SHRI NILOTPAL BASU : Let the Home Minister reply, Sir.

SHRI SURESH PACHOURI : Sir, we want a reply from the Home Minister in this regard. It is a very important question ...*(Interruptions)*.

श्री सभापति : आप बैठिए ...(**व्यवधान**) आप गुस्सा मत करिए। ...(**व्यवधान**)

SHRI S. VIDUTHALAI VIRUMBI : The Review Committee constituted under POTA is totally different from the Advisory Committee constituted previously under TADA. .... *(Interruptions.)* The Advisory Committee could go through the case of each and every detenue. .... *(Interruptions)*. The Advisory Committee was required to go through the case of each and every detenue. It is not so with the Review Committee. That is the problem.

SHRI NILOTPAL BASU : Let the Minister speak, Sir, Please protect the rights of the Members of this House and let the Minister reply. .... *(Interruptions)*.

श्री सभापति : बोलिए।

उप प्रधानमंत्री, गृह मंत्रालय तथा कार्मिक, लोक शिकायत और पेंशन मंत्रालय के प्रभारी (श्री लाल कृष्ण आडवाणी) : सभापति जी, मैंने पूरी चर्चा और जो प्रश्नोत्तर हुए वे नहीं सुने हैं, इसलिए मेरे लिए कहना संभव नहीं है, क्योंकि राज्य मंत्री जी ने उत्तर दिया है। ...(**व्यवधान**)

MR. CHAIRMAN : Let him speak.

श्री लाल कृष्ण आडवाणी : सभापति जी, इस सदन में और उस सदन में जब भी ''पोटा'' के दुरुपयोग का उल्लेख हुआ, उस उल्लेख के आधार पर ही केन्द्र सरकार ने जरूरी समझा कि हम को एक रिव्यु कमेटी बनानी चाहिए और वह हमने बनाई। अब उसने अपना काम शुरू किया है। ...(**व्यवधान**)... मेरा कहना यह है कि किस राज्य सरकार ने क्या

12.00 NOON

किया, क्यों किया, इसका जवाब मैं तो नहीं दे सकता। अगर कहीं दुरुपयोग हुआ है तो वह रिव्यु कमेटी उस पर जरूर कान्नीजेंस लेगी और उसका काम करेगी।

MR. CHAIRMAN : Question Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS

Funds allocated for modernisation of Indian Army

*462. SHRI JANARDHANA POOJARY : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that the Indian Army has embarked on modernisation through procurement of latest weapons and strategic equipments;

(b) if so, the amount sought and allocated for the purpose;

(c) whether it is a fact that the modernisation process of the defence forces is hampered by scant release of funds;

(d) if so, the reasons for curtailment of funds; and

(e) if not, the amount sought by the defence forces and allocated by Government for modernisation during the last three years, year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. CHAMAN LAL GUPTA) : (a) to (e) The Indian Army has embarked on a modernisation programme over the past decade.

Fund allocation is made by the Ministry of Finance taking into account the projections of the Ministry of Defence and based on the total resources available to the Goverment of India. A Statement indicating the amounts sought by and allocated to the Army during the last three years for modernisation programme is given below :

(Rs. in Crores)

Year	Amount sought	BE Allocation
2000-2001	10,200.46	5,558.63
2001-2002	9,461.44	5,803.00
2002-2003	7,414.47	6,550.00